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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/512,820 08/09/95 DU VAL S 002198.P001

26M1/0623  
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EXAMINER

CARMAN, M

ART UNIT

PAPER NUMBER

2607

DATE MAILED:

06/23/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

08/512,820<sup>MP</sup>

Applicant(s)

DuVal

Examiner

Melissa Kay Carman

Group Art Unit

2607



☒ Responsive to communication(s) filed on Aug 9, 1995

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-32 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-32 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

**Part III DETAILED ACTION**

***Claim Objections***

1. Claims 2, 4, 5, 7, 11, 12, 14, and 15 are objected to because of the following informalities:

- a) in Claim 2, line 2, replace "steps" with --step--;
- b) in Claim 4, line 2, replace "steps" with --step--;
- c) in Claim 5, line 2, replace "step" with --steps--;
- d) in Claim 7, line 3, delete "with";
- e) in Claim 11, line 2, replace "step" with --steps--;
- f) in Claim 12, line 2, replace "steps" with --step--;
- g) in Claim 14, line 2, replace "steps" with --step--;
- h) in Claim 15, line 2, replace "step" with --steps--

Appropriate correction is required to improve the readability of the claims.

***Claim Rejections - 35 USC § 112***

2. Claims 6 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 6 recites the limitation "said first automatic number identification" and "said second automatic number identification" in lines 2-4. There is insufficient antecedent basis for this limitation in the claim.

4. While applicant may be his or her own lexicographer, a term in a claim may not be given a meaning repugnant to the usual meaning of that term, *In re Hill*, 161 F.2d 367, 73 USPQ 482 (CCPA 1947). The term "voice" in claim 23 is used by the claim to mean "data input from the user," while the accepted meaning is "a sound suggesting vocal utterance or speech."

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-32 are rejected under 35 U.S.C. 102(b) as being anticipated by **Baran et al.** (US 4,771,425).

In Figure 1, **Baran** teaches packet-switched digital voice and data communication over a network capable of handling high data rates, including digital trunks used in the telephone network. The "anonymous voice system (AVS) 14A" reads on the Trunk MUX(18); the "anonymous voice system (AVS) 14B" reads on the Trunk MUX VDPS(14); the "packet switched network" reads on the Synchronous Packet Network(12); the "first party, first telephone call" reads on the Telephone Set(56); the "circuit switched network" reads on the PBX(44); the "data terminal" reads on the Terminal(64); the "voice processor" reads on the "Voice/Data Processor(103); the "interface" reads on the "Protection Interface Card(92); the "microprocessor" reads on the Microprocessor System(110); the "memory device" reads on System ROM(124); and the "second party, second telephone call" reads on the Telephone Set(72). The voice/data packet switches (VDPS) format information into standardized packets, using a packet format which matches a DS-1 trunk transmission frame format, and then switches and sends the packets (col. 2, lines 39-52). Within the Synchronous Packet Network(12), there are standard DS-1 trunk line systems which may consist of point-to-point T-1 cables and PCM transceivers. The Trunk MUXs(18) convert the DS-1

trunk line system into a packet-switched system capable of switch support of voice with high bandwidth utilization. Signals are sent as packets, not as conventional DS-1 PCM signals, and the packets appear indistinguishable to the T-1 transmission equipment (col. 5, line 21 to col. 6, line 1).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Yang** (RFC1789) teaches the integration of the local telephone networks and the Internet using servers. Wherein a long distance call can be split into two local calls and an Internet connection, which is transparent to the end users. The telephone network provides local access to the service with the existing telephone facilities, whereas the Internet delivers the packets of voice communication over long distances. Assuming that a user at area A wants to call another user in area B. The user in area A, first makes a local call to a server in area A. After the connection, the first user keys in the remote telephone number, in area B, to the server. The server in area A then makes a connection to another server, in area B, and requests the remote server to dial, as a local call, the telephone number in

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area B. Therefore, a long distance telephone connection between users in area A and area B is established via two local telephone connections and one Internet connection between the two servers.

**Gordon et al.** (US 5,608,786) teaches a unified messaging system and method which combines or makes use of existing communication channels or networks. Part of the system and method relies on a data communication network, such as the Internet, to form an intermediate leg of the distribution network. Telephone communication is typically used for initial or final legs. Voice mail, E-mail, facsimiles and other message types can be received by the system for retrieval by the subscriber. Communications may be centralized and retrieval of messages can be accomplished using one of a number of separate and distinct approaches.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mrs. Melissa Kay Carman whose telephone number is 703/308-7605. The examiner can normally be reached on Monday-Friday from 7:00AM - 3:30PM, Eastern Time.

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If attempts to reach the examiner by telephone are not successful, the examiner's supervisor, Mr. Wellington Chin, can be reached on 703/305-4366.

Any response to this action should be mailed to:


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or faxed to:

(703) 308-9051, for formal communications intended for entry  
Or  
(703) 308-5403, for informal or draft communications,  
please label "PROPOSED" or "DRAFT".

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703/305-3900.

*Melissa Kay Carman*  
Melissa Kay Carman  
Patent Examiner

  
WELLINGTON CHIN  
SUPERVISORY PATENT EXAMINER